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APRIL 19, 1996

SECRETARY  
FEDERAL COMMUNICATIONS COMMISSION  
1919 M STREET  
WASHINGTON, DC 20036

Dear Sirs,

DOCKET FILE COPY ORIGINAL

Enclosed is an original and five copies of a Petition for Rule Making for a new FM channel for Kula, Hawaii.

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MAB

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MAY 17 1996

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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20036

In the matter of: )  
 )  
Amendment of Section 73.202 (b) )  
 ) RM-\_\_\_\_\_  
Table of Allotments )  
 )  
FM Broadcast Stations )  
 )  
(Kula, Hawaii)

**PETITION FOR RULE MAKING**

In this petition, Sonia A Humphrey is hereby requesting to allot channel 244A (96.7 Mhz) to Kula, Hawaii as its first local FM allotment.

**INTRODUCTION**

1. This statement is a petition for rule making to allot FM channel 244A (96.7 Mhz) to Kula, Hawaii and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 244A to Kula will have.

**DISCUSSION**

2. Kula is located on Maui Island, Hawaii. It is also located within Maui County, a county of some 100,374 persons. Kula has a population of 2000 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 244A to Kula will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Kula is located at Pukalani. Pukalani is located 10 kilometers from Kula.

It is obvious that from the above spacing that Kula is presently without local FM service.

4. Kula would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 10 Kilometers of Kula. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Kula area of emergency conditions caused by severe weather or other health hazards.

5. Channel 244A can be allotted to Kula and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Kula, Hawaii	-----	244A

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 244A and the pertinent adjacent channels to 244 have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study ( N 20 - 45' - 00", W 156 - 20' - 00") are that of a site located within the community of Kula. No site restriction will be required to allot channel 244A to Kula. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Kula. These sites would also provide full minimum spacing requirements to other allotments.

### CONCLUSION

7. It has been shown that Kula would benefit from the allotment of channel 244A. It has also been shown that channel 244A can be allotted to Kula and meet all rules regarding spacing from other stations. Considering these two facts, I, Sonia A. Humphrey, hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 244A for Kula, Hawaii, 73.202.

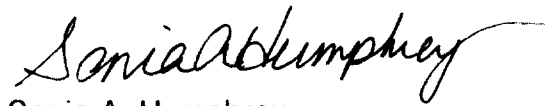
8. Should channel 244A be allotted to Kula, Hawaii, I certify that I will file an application for a Construction Permit to operate an FM station for Kula, Hawaii.

## CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: April 19, 1996

Respectfully submitted,

A handwritten signature in black ink, reading "Sonia A. Humphrey". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Sonia A. Humphrey

c/o Magic City Media, Inc.  
1912 Capitol Avenue, Suite 300  
Cheyenne, Wyoming 82001

(307) 632-4400

MAPFM search of channel 244A (96.7 MHz), at N. 20 45 0, W. 156 20 0.

Searching Channel 244A (96.7 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Kailua	HI	242	C	U	161.3	95.0	293.5°	66.3
KRTRFM	Kailua	HI	242	C	C	161.3	95.0	293.5°	66.3
KRTRFM	Kailua	HI	242	C	L	161.3	95.0	293.5°	66.3
K244AG	Maui	HI	244	D	L	24.1	0.0	307.2°	24.1
K244DN	Honokowa, etc.	HI	244	D	L	60.0	0.0	280.1°	60.0
K297AC	Wailuku, etc.	HI	297	D	L	23.5	0.0	311.5°	23.5

FIGURE 1

Petition for Rule Making

Kula, Hawaii

Channel Study

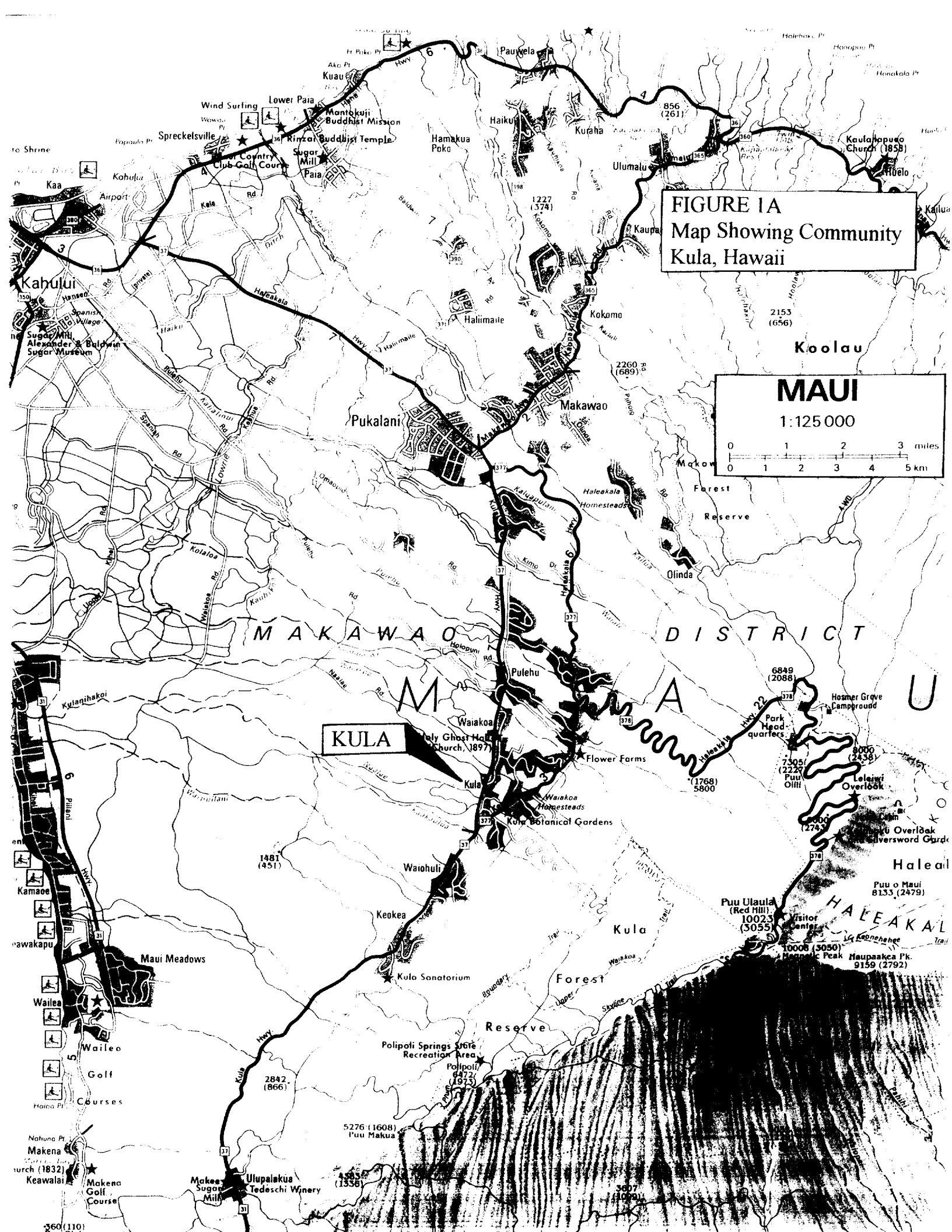


FIGURE 1A  
Map Showing Community  
Kula, Hawaii

MAUI  
1:125 000

0 1 2 3 miles  
0 1 2 3 4 5 km